Absenderadresse

Theodoric Bärwald BÄRWALD · Das Waldweg 1 · 60433 Frankfurt am Main

00 000C C000 00 E000 0000
DV00.00 0,95 Deutsche Post

*661*0000001*

District Court
Mulgrave Street
Limerick
Éire
V94 X79F Luimneach
IRLAND

Ihre Empfängeradresse muss innerhalb dieser Box stehen

19.01.2026

Der Gedanke legt der Grund fúr die Tat

Mr. Delaney,

do make a better effort.

To the District Court Clerk

Application for Issuance of Summons Pursuant to the District Court Rules and Relevant Statutory Provisions

I, Derek O'Barróid,

holder of passport PU 2856758,

passport card C27040698, born on 09/03/1968,

resident at Am Weidebaum, Bóther na Dúga,

Luimneach, Éire,

do hereby make this sworn information and application for the issuance of a criminal summons against the alleged medical practitioner

(hereinafter referred to as "the Defendant"),

whose identity is presently unknown due to the provision of a fictitious address on the impugned Form 5, the absence of any identifiable registration number thereon, and the lack of any registered Doctor of Medicine bearing the name inscribed, for offences of forgery contrary to Section 25 of the Criminal Justice (Theft and Fraud Offences) Act 2001,

aiding and abetting offences of assault and battery contrary to Section 7(1) of the Criminal Law Act 1997 in conjunction with Sections 2 and 3 of the Non-Fatal Offences Against the Person Act 1997,

and making a false or misleading statement contrary to Section 10(6) of the Mental Health Act 2001, all of which are amenable to summary prosecution in this Honourable Court pursuant to Section 53 of the Criminal Justice (Theft and Fraud Offences) Act 2001,

Section 10(7) of the Mental Health Act 2001,

and the inherent jurisdiction of the District Court to entertain private prosecutions as common informers under the common law, as preserved and recognised inter alia in the Policing, Security and Community Safety Act 2024.

The particulars of the offences are as follows, incorporating without abridgement or diminution the antecedent research and statutory provisions heretofore elucidated:

1. The Defendant, being a purported registered medical practitioner, is averred to be disqualified under the Mental Health Act 2001 by virtue of employment with the Health

Service Executive and habitual collaboration with An Garda Síochána in a non-voluntary capacity, thereby rendering the execution of Form 5 fraudulent and erroneous; moreover, the Defendant is further disqualified pursuant to Section 10(3)(c), (d), and (e) of the Mental Health Act 2001 as a member of the governing body, or the staff, or the person in charge, of the approved centre concerned; any person with an interest in the payments (if any) to be made in respect of the taking care of the person concerned in the approved centre concerned; or any registered medical practitioner who provides a regular medical service at the approved centre concerned, such disqualifications vitiating the validity of the recommendation and rendering it fraudulent.

Section 10 of the Mental Health Act 2001 provides:

"(1) Where a registered medical practitioner is satisfied following an examination that a person is suffering from a mental disorder, he or she may make a recommendation (in this Act referred to as “a recommendation”) in a form specified by the Commission that the person be involuntarily admitted to an approved centre.

(2) A recommendation under subsection (1) shall be in a form specified by the Commission.

(3) A recommendation shall not be made under this section by

(a) the applicant,

(b) the spouse or a relative of the person the subject of the application or of the registered medical practitioner making the recommendation, or

(c) the applicant or the spouse or a relative of the applicant.

(c) a member of the governing body, or the staff, or the person in charge, of the approved centre concerned,

(d) any person with an interest in the payments (if any) to be made in respect of the taking care of the person concerned in the approved centre concerned,

(e) any registered medical practitioner who provides a regular medical service at the approved centre concerned,"

Albeit the enactment delineates specific prohibitions predicated upon familial or applicatory affiliations, it refrains from explicit interdiction of practitioners employed by the Health Service Executive or those engaged in routine liaison with An Garda Síochána sans voluntary auspices; notwithstanding, such entanglements may vitiate the requisite impartiality, thereby impugning the validity of the recommendation and engendering fraudulence or error in the form, amenable to judicial scrutiny.

(4) A person shall not make an application unless he or she has observed the person the subject of the application not more than 48 hours before the date of the making of the application.

The Defendant conducted a cursory examination of merely minutes' duration, without identifying himself before witnesses Garda LK410 Coffy and Mr. Tee, thereby contravening the requirements of subsection (4) and rendering the recommendation invalid and fraudulent.

(6) A person who, for the purposes of or in relation to an application, makes any statement which is to his or her knowledge false or misleading in any material particular, shall be guilty of an offence.

The Defendant's execution of Form 5, incorporating false or misleading statements as to the propriety of the examination and his qualifications, constitutes an offence under this provision.

2. The Defendant's signature on the aforesaid Form 5 precipitated my strip-searching and forcible handcuffing by members of An Garda Síochána, constituting assault and battery, which the Defendant aided and abetted by facilitating the involuntary admission process through the fraudulent instrument.

Section 25 of the Criminal Justice (Theft and Fraud Offences) Act 2001 stipulates:

"(1) A person is guilty of forgery if he or she makes a false instrument with the intention that it shall be used to induce another person to accept it as genuine and, by reason of so accepting it, to do some act, or to make some omission, to the prejudice of that person or any other person.

(2) A person guilty of forgery is liable on conviction on indictment to a fine or imprisonment for a term not exceeding 10 years or both."

The proffer of a recommendation by an ostensibly disqualified practitioner, intending to precipitate involuntary admission and attendant prejudicial interventions such as strip-searching and handcuffing, may thus constitute forgery, prosecutable summarily in the District Court per Section 53 of the same Act, contingent upon the Director of Public Prosecutions' assent and the accused's non-objection, with sanctions encompassing a fine not exceeding €1,500, imprisonment not surpassing twelve months, or both.

Section 53 of the Criminal Justice (Theft and Fraud Offences) Act 2001 provides for summary trial of certain offences under the Act, including forgery, where the Court deems the offence minor.

Section 7(1) of the Criminal Law Act 1997 ordains:

"Any person who aids, abets, counsels or procures the commission of an indictable offence shall be liable to be indicted, tried and punished as a principal offender."

The medical practitioner's endorsement of the form, foreseeably enabling or instigating the impugned acts of strip-searching and forcible handcuffing, may thereby render him amenable as an accessory to the principal offences.

Section 2 of the Non-Fatal Offences Against the Person Act 1997 declares:

"(1) A person shall be guilty of the offence of assault who, without lawful excuse, intentionally or recklessly—

(a) directly or indirectly applies force to or causes an impact on the body of another, or

(b) causes another to believe on reasonable grounds that he or she is likely immediately to be subjected to any such force or impact,

without the consent of the other.

(2) In subsection (1)(a), “force” includes—

(a) application of heat, light, electric current, noise or any other form of energy, and

(b) application of matter in solid liquid or gaseous form.

(3) A person guilty of an offence under this section shall be liable on summary conviction to a fine not exceeding £1,500 or imprisonment for a term not exceeding 6 months or both."

Section 3 of the same Act provides:

"(1) A person who assaults another causing him or her harm shall be guilty of an offence.

(2) A person guilty of an offence under this section shall be liable—

(a) on summary conviction, to a fine not exceeding £1,500 or to imprisonment for a term not exceeding 12 months or both, or

(b) on conviction on indictment to a fine or to imprisonment for a term not exceeding 5 years or both."

3. The identity of the Defendant remains unascertained, as the address furnished on Form 5 is fictitious, no professional registration number is appended, and no Doctor of Medicine is registered under the inscribed name. The principal witness to the Defendant's involvement is Garda John O'Sullivan, badge number LK97, who effected the arrest and can attest to the chain of events initiated by the Defendant's signature; additional witnesses include Garda

LK410 Coffy and Mr. Tee, who can attest to the cursory nature of the examination and the Defendant's failure to identify himself.

Wherefore, I respectfully apply to this Honourable Court for the issuance of a summons requiring the attendance of the Defendant, described as the medical practitioner who executed the Form 5 in respect of my involuntary admission, to answer the aforesaid charges. In view of the Defendant's unidentified status,

I further pray that this Court direct the Director of Public Prosecutions, pursuant to their statutory functions under the Prosecution of Offences Act 1974 and in consonance with the oversight provisions in the Policing, Security and Community Safety Act 2024, to cause an investigation to be undertaken by An Garda Síochána for the purpose

of identifying the Defendant,

ascertaining their true particulars, and facilitating the service of the summons, or alternatively, that the Court endorse the summons for service upon the Health Service Executive or such other entity as may hold records pertaining to the Defendant's employment and actions.

This application is grounded upon the District Court Rules 1997 (S.I. No. 93/1997), particularly Orders 22 and 23 thereof, which govern the issuance and service of summonses in criminal matters, and the inherent power of the Court to receive informations from common informers in private prosecutions for summary offences.

Sworn by me, Derek O'Barróid, at Frankfurt am Main, this 19 day of 01, 2026,

Derek O'Barróid

mhc

RECOMMENDATION
(BY A REGISTERED MEDICAL PRACTITIONER)
FOR INVOLUNTARY ADMISSION OF AN ADULT
(TO AN APPROVED CENTRE)

Revised July 2021

FORM 5
Mental Health Acts 2001 to 2018
Section 10

PLEASE COMPLETE IN BLOCK CAPITALS

My opinion above that the person has a mental disorder is based on the following grounds:

12. Description of the person's mental disorder

+ Dx case of Bipolar disorder, non-compliant to prescribed Olanzapine.
+ Masking information; denied any mental health issues & being prescribed any medication. Not answering many questions or answering with counter questions.
+ Argumentative, believes I am bipolar.
+ Apprehensive; interviewed me regarding my ID & qualifications. Didn't want garda around, worried about ~~working~~ worldly matters. ? PARANOID.
+ HYPOMANIC: energetic, excited, grandeur, flight of ideas, rapid speech, restless, irritable, aggitated.
+ Low insight - extremely happy & confident regarding his mental & physical health.
+ DANGEROUS: expelled from Germany for possession of an arsenal of weapons, bomb threats to the German & Irish infrastructure. On friday Interpol contacted Garda & were significantly concerned, specially about escalation of his behaviour

13. I recommend that the above named person be admitted to the above named approved centre.

14. I have informed the above named person of the purpose of the examination: Yes ☑ No ☐

Where "No" is indicated, I confirm that such information has been withheld because the provision of such information would be prejudicial to the person's mental health or well-being or emotional condition.

15. I am <u>not</u> a person disqualified from making a recommendation for reasons set out in Section 10(3) of the Mental Health Acts 2001 to 2018.

16. I shall give a copy of this Form to the applicant as per Section 10(4) of the Mental Health Acts 2001 to 2018.

Signature of Registered Medical Practitioner

MCRN: 4 1 5 2 0 6

Date: 1 8 / 0 3 / 2 0 2 5

Time: (24 hour clock e.g. 2:41pm is written as 14:41) 1 2 : 5 0

For use only in accordance with the Mental Health Acts 2001 to 2018. Penalties apply for giving false or misleading information.
NOTE: For information in relation to the legislation, please refer to https://www.mhcirl.ie/what-we-do/mental-health-tribunals/legislation.
For information in relation to the Section of the Mental Health Act 2001 to which this form refers, please click here.

mhc

RECOMMENDATION
(BY A REGISTERED MEDICAL PRACTITIONER)
FOR INVOLUNTARY ADMISSION OF AN ADULT
(TO AN APPROVED CENTRE)

Revised July 2024

FORM 5

Mental Health Acts 2001 to 2018
Section 10

PLEASE COMPLETE IN BLOCK CAPITALS

1. Full name of person the subject of recommendation
DEREK O'BARRIOD

2. Full address of person the subject of recommendation
24 GREENFIELDS,
ROSBRIEN,
LIMERICK. Eircode:

3. Date of birth OR age (if date of birth not known)
09/03/1968 Age: Gender: M ✓ F

4. Full name of Registered Medical Practitioner
MUHAMMAD AMMAR ALAM SHAH

5. Professional address of Registered Medical Practitioner
24 DOC,
LIMERICK.

I am the person's General Medical Practitioner
Yes ☐ No ✓

7. Name and address of Approved Centre for admission
WARD 5B,
UNIVERSITY HOSPITAL LIMERICK,
DOORADOYLE, LIMERICK

8. Name of Applicant

9. Date: I last examined the person on: 18/03/2025 Time: (24 hour clock e.g. 2:41pm is written as 14:41) 12:20

which was within 24 hours of receipt of the application for involuntary admission which was made on:
18/03/2025

10. Examination Location
HENRY STREET GARDA STATION

Criteria for Mental Disorder

In my opinion this person has a mental disorder where:
(please tick ONE box ONLY)

(a) because of the illness, disability or dementia, there is a serious likelihood of the person concerned causing immediate and serious harm to himself or herself or to other persons, ☐

OR

(b) (i) because of the severity of the illness, disability or dementia, the judgement of the person concerned is so impaired that failure to admit the person to an Approved Centre would be likely to lead to a serious deterioration in his or her condition or would prevent the administration of appropriate treatment that could be given only by such admission, ☐

AND

(ii) the reception, detention and treatment of the person concerned in an Approved Centre would be likely to benefit or alleviate the condition of that person to a material extent.

OR
(a) (as above) and (b) (as above). ✓

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For information in relation to the legislation, please refer to https://www.mhcirl.ie/what-we-do/mental-health-tribunals/legislation.
For information in relation to the Section of the Mental Health Act 2001 to which this form refers, please click here.

10 Síniú / Signature / Signature

Pas/Passport/Passeport

Éire/Ireland/Irlande

SAGHAS/TYPE/TYPE TÍR/COUNTRY/PAYS

P IRL

PAS UIMHIR/PASSPORT NO/NO. PASSEPORT

PU2856758

ÉIRE / IRELAND / IRLANDE

PAS / PASSPORT / PASSEPORT

An tAontas Eorpach
European Union

SAGHAS / TYPE / TYPE TÍR / COUNTRY / PAYS

IP IRL

UIMHIR CÁRTA / CARD NUMBER / NUMÉRO DE CARTE

C27040698

SLOINNE / SURNAME / NOM

O'BARRÓID

TÚSAINM (NEACHA) / FORENAME(S) / PRÉNOM(S)

DEREK JOSEPH

NÁISIÚNTACHT / NATIONALITY / NATIONALITÉ

ÉIREANNACH/IRISH

DÁTA BREITHE / DATE OF BIRTH / DATE DE NAISSANCE

09 MÁR/MAR 1968

GNÉAS / SEX / SEXE

M

AIT BHREITHE / PLACE OF BIRTH / LIEU DE NAISSANCE

LUIMNEACH/LIMERICK

DÁTA EISIÚNA / DATE OF ISSUE / DATE DE DÉLIVRANCE

22 EAN/JAN 2024

AS FEIDHM / DATE OF EXPIRY / DATE D'EXPIRATION

21 EAN/JAN 2029

ÚDARÁS / AUTHORITY / AUTORITÉ

Oifig na bPasanna,
Baile Átha Cliath
Passport Office, Dublin

SÍNIÚ / SIGNATURE / SIGNATURE

P<IRLOBARROID<<DEREK<JOSEPH<<<<<<<<<<<<<<<<<<<<

PU2856758 6IRL6803096M2912039<<<<<<<<<<<<<<<2

An Roinn Coimirce Sóisialai
Department of Social Protection

SAFE Registration Customer Declaration

PPSN	5823237P
Name:	**Derek Joseph O'Barróid**
Birth Surname:	Barrett
Mothers Birth Surname:	Mc Hugh
Date Of Birth:	09/03/1968 Verified
Place Of Birth:	Limerick
Nationality:	IRL
Address:	Am Weidebaum Bóther na Duga Luimneach Luimneach V94 15AR

Dept. of Social Protection
11 JUL 2024
Dominic Street
Limerick

I confirm that I have supplied the following documentation in support of my SAFE Registration :

- Address on file quoted by customer
- Passport
- GRO

Note: The Department scans and retains copies of documents provided as part of the SAFE Registration process, however it does not scan or retain copies of utility bills or other proofs of address.

Declaration

I declare that the information given by me and as contained in this form is truthful and complete.

Signature:

Derek O Barróid

Date: 11/07/2024

Warning: If you make a false statement or withhold information, you may be prosecuted leading to a fine, a prison term, or both.

Data Protection Statement

The Department of Social Protection administers Ireland's social protection system. The Department requires customers to provide certain personal data in order to determine eligibility for relevant payments and or benefits. Your personal data may be exchanged with other Government Departments in certain circumstances where this is provided for by law. Full details of the Department's privacy statement setting out how we will use your personal data as well as information regarding your rights as a data subject are available at www.gov.ie/dsp/privacystatement. Details of this policy are also available in hard copy upon request.

An tSeirbhís Chúirteanna
Courts Service

An tUsal Deric O'Barróid
"Am Weidebaum"
Bóther na Duga
Luimneach
V94 I5AR
Éire

J.14

24/06/2024

Circuit Court

An Chúirt Chuarda

Jury Summons No:24020LK0100

To Whom it May Concern

This is to certify that, in response to a summons served on them: Derek O'Barroid, Dock Road,Limerick City,Co.Limerick, attended as a Juror at the above Court on 24/06/2024.

James Seymour

County Registrar

Oifig Na Cúirte Luimnach, Teach na Cúirte, Sráid Mulgrave, Luimnach, V94 X79F

Limerick Court Office, The Courthouse, Mulgrave Street, Limerick, V94 X79F

Teileafón/Telephone: **061 289 900** Ríomhphost/Email: **limerickcourtoffice@courts.ie** Láithreán Gréasáin/Website: **www.courts.ie**